

RECEIVED
CENTRAL FAX CENTER
AUG 29 2008



RatnerPrestia
 WE SPECIALIZE IN THE LAW OF CREATIVITY®

☒ Suite 301, One Westlakes, Berwyn
 P.O. Box 980
 Valley Forge, PA 19482-0980
 Phone: 610-407-0700
 Fax: 610-407-0701

☐ Nemours Building
 1007 Orange Street, Suite 1100
 P.O. Box 1596
 Wilmington, DE 19899
 Phone: 302-778-2500
 Fax: 302-778-2600
www.ratnerprestia.com

☐ Suite 265
 Commerce Corporate Center
 5100 Tilghman Street
 Allentown, PA 18104
 Phone: 610-530-8100
 Fax: 610-530-8200

FAX FILING IN U.S. PATENT & TRADEMARK OFFICE

DATE: August 29, 2008

TIME: _____

TO:	USPTO	FAX NO.:	(571) 273-8300
FROM:	Glenn M. Massina	ADMIN. ASST.:	Christine Clarke-Robinson
APPLN. NO.:	10/798,786	ATTY. DOCKET NO.:	BSI-557US1
TITLE OF APPLN.: METHODS FOR TREATMENTS OF ANEURYSMS			
FILING DATE:	March 10, 2004	ART UNIT:	3739
FIRST INVENTOR:	Robert A. Van Tassel	CONF. NO.:	5624
TITLE OF DOCUMENT (and List of Attachments): Transmittal Form			
Notice of Appeal			
Form PTO-2038			

Total Number of Pages: 4 (including this form)

COMMENTS

CONFIDENTIAL AND PRIVILEGED ATTORNEY/CLIENT INFORMATION

This facsimile transmission (and/or documents accompanying it) may contain attorney/client privileged communications and confidential business information that is intended for use only by the individual or company to whom it is addressed. Disclosure, interception, copying or any other use of this transmission by anyone other than any intended recipient is prohibited. If you receive this transmission by mistake, please notify the sender.

Please notify us immediately if you have not received the number of pages indicated above.

RECEIVED
CENTRAL FAX CENTER
AUG 29 2008

PTO/SB/21 (09-04) (AW 10/2004)

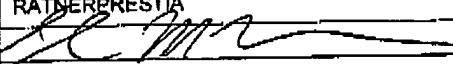
Approved for use through 7/31/2008. OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

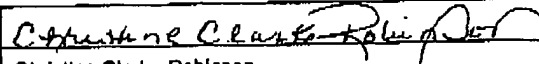
TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/796,786
	Filing Date	March 10, 2004
	First Named Inventor	Robert A. Van Tassel
	Art Unit	3739
	Examiner Name	Roy Dean Gibson
	Attorney Docket No.	BSI-557US1
Total Number of Pages in This Submission 3		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): See Below
Remarks: Notice of Appeal Form PTO-2038		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm Name	RATNERPRESTIA		
Signature			
Printed Name	Glenn M. Massina		
Date	August 29, 2008	Registration No.	40,081

CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1450 on the date shown below:			
Signature			Date
Typed or Printed Name	Christine Clarke-Robinson	Date	August 29, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

339428v1

RECEIVED
CENTRAL FAX CENTER
AUG 29 2008

PTO/SB/31 (04-05)

Approved for use through 7/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
unless it displays a valid OMB control number.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

BSI-557US1

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

on 8/29/2008

Signature Christine Clark Robinson

Typed or printed

name CHRISTINE CLARK-ROBINSON

In re Application of

Robert A. Van Tassel

Application Number

10/798,785

Filed

March 10, 2004

For

METHODS FOR TREATMENT OF ANEURYSMS

Art Unit

3739

Examiner

Roy Dean Gibson

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 10.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ _____

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card of the difference of a previously paid appeal fee. Appellant wishes to reinstate appeal after prosecution is reopened.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 18-0350.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record. Registration Number: 40,081

☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34: _____

Signature

Glenn M. Massina

Typed or printed name

(610) 407-0700

Telephone Number

August 27, 2008

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

adjustment date: 09/02/2008 VRUI22
03/01/2007 INTERFERES 00000159 10798786
01 FC:1401

☐ Total of _____ forms are submitted.

-500.00 OP

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.8. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

339355v1